

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

No. 18-CR-656-LTS

CARLOS ALVAREZ,

Defendant.

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ORDER

On May 4, 2021, the Court sentenced defendant Carlos Alvarez to a total of sixty months and one day of imprisonment to be followed by a total of three years of supervised release, in connection with his conviction of seven narcotics offenses, each a violation of 21 U.S.C. section 841(b)(1)(C), and one count of using or carrying a firearm during and in relation to a narcotics offense, in violation of 18 U.S.C. section 924(c)(1)(A)(i). At the sentencing hearing, the Court imposed several special conditions of supervised release, including, as had been recommended by the Probation Office (at docket entry no. 87 at 27) that Mr. Alvarez “must provide the probation officer with access to any requested financial information.” (Docket entry no. 185 at 41:10-11.) However, that special condition was inadvertently omitted from the Court’s written judgment (docket entry no. 177 (the “Judgment”)) due to a clerical error.

On April 11, 2022, the United States Court of Appeals for the Second Circuit issued a Mandate granting in substantial part the Government’s motion to dismiss Defendant’s appeal based on the waiver of Defendant’s appellate rights contained in his plea agreement. The Second Circuit denied the Government’s motion, however, “with respect to the special condition requiring [Defendant] to give the Probation Office access to requested financial information” and

remanded the appeal to this Court “to clarify whether it intended to impose that condition.”
(Docket entry no. 198.)

As reflected in the transcript of Defendant’s sentencing hearing, the Court intended to impose the special condition that Mr. Alvarez “must provide the probation officer with access to any requested financial information” as part of its Judgment. The Court therefore intends to issue an amended judgment, with that special condition included, by **May 2, 2022**. Should either party wish to file an objection to the issuance of that amended judgment, that party must file that objection by **April 25, 2022**.

Chambers will mail a copy of this Order to Mr. Alvarez.

SO ORDERED.

Dated: New York, New York
April 11, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge

Copy mailed to:

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